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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 ALLAN PARMELEE,

8 Plaintiff,

9 v.

10 TONY DUNNINGTON, HARLAN
11 FINCH, DOUGLAS WADDINGTON,
12 RICHARD HAYWARD, SCOTT
13 RUSSELL, DANIEL WHITE, CPM
14 DAN VAN OGLE, MARCIA
15 SANCHEZ, ED HOSKINS, STEVE
16 RAMSEY, ELDON VAIL, and JOSEPH
17 GATCHELL,

18 Defendants.

NO. C11-5771 RBL/KLS

ORDER GRANTING EXTENSION TO
FILE AMENDED COMPLAINT

19 Before the Court is Plaintiff's "Motion and Declaration to Stay Case, Order
20 Defendants to Provide Access to Case Critical Legal Property, and Until Corrected, Toll Time
21 to File Previously Ordered Amended Complaint". ECF No. 41. In this motion, Plaintiff
22 complains of access to his legal materials at the Washington State Penitentiary (WSP). Since
23 the filing of this motion, Plaintiff filed a Notice of Change of Address reflecting that he is
24 now housed at the Monroe Correctional Complex in Monroe, Washington. ECF No. 41. On
25 June 4, 2012, the Court ordered Plaintiff to advise the Court (1) whether the issues raised in
26 his motion are now moot; and (2) if he still requires an extension of time to file an amended
complaint.

1 Although Plaintiff is no longer housed at the MCC, he states that the issues he raised
2 relating to his access to his legal files while housed there are not moot. ECF No. 50. He also
3 states that he still requires additional time, not to exceed three months, to file his amended
4 complaint. Plaintiff's segregation status is expected to expire in two months and his access to
5 files will likely change at that time. Thereafter, he anticipates that it will take the Department
6 of Corrections a couple of weeks to process him and at least a week after that to prepare his
7 amended complaint after he is provided access to his files. *Id.*

9 The Court finds that Plaintiff has provided a good faith reason for the requested
10 extension of time to file his amended complaint. However, the remainder of the issues raised
11 in Plaintiff's motion must be addressed in a separate Report and Recommendation because
12 Plaintiff seeks injunctive relief. Accordingly, **it is ORDERED:**

13
14 (1) Plaintiff's motion (ECF No. 49) for an extension of time to respond to the
15 Court's Order to Show Cause is **GRANTED**. The Court has considered Plaintiff's response
16 to the Order to Show Cause (ECF No. 50) filed on June 20, 2012.

17 (2) Plaintiff's motion (ECF No. 41) is **granted in part**; Plaintiff shall file his
18 amended complaint **on or about September 10, 2012**. The remainder of Plaintiff's motion
19 (ECF No. 41) shall be addressed in a separate Report and Recommendation.

20
21 (3) The Clerk shall send copies of this Order to Plaintiff and to counsel for
22 Defendants.

23 **DATED** this 25th day of June, 2012.

24
25 
26 Karen L. Strombom
United States Magistrate Judge